IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CENTRAL EXCISE APPEAL NO. 83 OF 2007

M/s.Tonira Pharma Ltd. ... Appellant.

V/s.

The Commissioner of Central Excise, Surat-II. ... Respondent.

Prakash Shah i/b. PDS Legal for the appellant.

R.V.Desai, senior counsel with A.S.Rao for the respondents.

CORAM : DR.S.RADHAKRISHNAN and V.C.DAGA, JJ.

DATED : 21st June 2007.

P.C. :

. Heard learned counsel for the petitioner and learned counsel for the respondent.

2. The learned counsel for the appellant seeks to withdraw the present appeal to approach Hon'ble Gujrat High Court in view of the judgment of the Supreme Court in the case of M/s.Ambica Industries v. Commissioner of Central Excise, 2007 TIOL 97 SC-CX. In view of the above, parties to maintain status-quo for a period of three weeks from today.

3. Appeal is dismissed as withdrawn with the aforesaid liberty. Refund of court fee as per the rules.

(V.C.DAGA, J.) (DR.S.RADHAKRISHNAN, J.)